ZONING CHANGE REVIEW SHEET



CASE: C14-2013-0109 River Place Center **Z. P. C. DATE:** 10/15/13, 11/05/13, 11/19/13

ADDRESS: 10819 FM 2222 Rd. **AREA**: 7.38 acres

APPLICANT: Capella Commercial-Riverplace, L.L.C. (Todd Dailey)

AGENT: Jones & Carter, Inc. (Darren Webber)

NEIGHBORHOOD PLAN AREA: N.A. CAPITOL VIEW: No

T.I.A.: Yes HILL COUNTRY ROADWAY: Yes

WATERSHED: Bull Creek/Panther Hollow DESIRED DEVELOPMENT ZONE: No

ZONING FROM: GR – Community Commercial & LO – Limited Office.

ZONING TO: GR – Community Commercial.

SUMMARY STAFF RECOMMENDATION:

Staff recommends GR-CO, Community Commercial, Conditional Overlay. The Conditional Overlay would add the following language to the ordinance –

"A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,100 trips per day."

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:



The subject property is currently undeveloped and part of the River Place Center subdivision and site plan. The land area is lot 7A of the Resubdivision of Lot 1, River Place Center fronting on FM 2222 Road and River Place Boulevard. This lot is zoned Limited Office (LO) and Community Commercial (GR). The applicant proposes to rezone the property from Limited Office (LO) and Community Commercial (GR) to Community Commercial (GR). The subject rezoning area consists of approximately 7.389 acres of land as depicted on the zone change map. However, the actual area to be rezoned is approximately 3.6 acres of land or the Northern part of Lot 7A (see second zone change map with cross hatched area). On December 9, 1985, the front part of the site was rezoned from I-SF to GR and LO under Ordinance No. 851219-DD (see attached ordinance) which attached a zoning site plan to the property. Additionally, on April 10, 1986 the remainder of the site, the southern portion of Lot 7A, was rezoned from I-SF-2 to GR by Ordinance 860410-I (see attached ordinance). On July 20, 1988, Ordinance No. 851219-DD was amended by Ordinance 880728-E (see attached ordinance). This was a "corrective ordinance" to switch the "LO" and "GR" areas. On March 20, 2008 a zone change request was approved to remove the old zoning site plans from the area by Ordinance 20080320-065 (see attached ordinance). With the existing Community Commercial (GR) to the South of the zone change request, staff is of the opinion that there will be no detrimental impact by recommending approval of the zone change request to the North. There still is an existing "buffer" of Limited Office (LO) between the zone change request and the Scenic Highway/Hill Country Roadway of FM 2222.

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote a balance of intensities and densities.

Granting the GR – Community Commercial zoning marginally increases the existing GR zoning in the front due to the fact that the tract to the rear is already zoned GR.

EXISTING ZONING AND LAND USES:

ZONING	LAND USES
GR & LO	Undeveloped
GR	Undeveloped
RND-PDA	
LO	Research campus Restaurant/bank
SF-2	Automotive repair
	GR & LO GR RND-PDA LO

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2003-0043	From I-RR to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR-CO [Vote: 7-0]
C14-2008-0027	From LO to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR-CO [Vote: 7-0]
C14-2006-0232	From I-SF-2 to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR- CO [Vote: 7-0]



NEIGHBORHOOD ORGANIZATION:

Steiner Ranch Community Association. 2222 Coalition of Neighborhood Associations Glen Lake Neighborhood Association Courtyard Homeowners Association

Long Canyon Homeowners Association Long Canyon Phase II & III Homeowners Association

SCHOOLS:

Steiner Ranch Elementary School, Canyon Ridge Middle School, Vangrift High School

SITE PLAN:

- SP 1. This site is located within the Hill Country Roadway Corridor (Moderate Intensity) and therefore requires Land Use Commission approval of the site plan. For Hill Country site development regulations, refer to Sections 25-2-1104 to 25-2-1105, 25-2-1021, and Environmental Criteria Manual 2.7.0.
- SP 2. Beyond two hundred feet (200') of the right-of-way of Ranch Road 2222, maximum height shall not exceed 40 feet in Moderate Intensity areas, except as provided in Section 25-2-1128, Performance Incentives. [25-2-1124].
- SP 3. This site is located within the Ranch Road 2222 Scenic Roadway subdistrict. For projects requesting performance incentives for scenic vista protection as per Section 25-2-1128 the site plan shall: a) illustrate the location and nature of any existing or potential scenic vista from or in close proximity to public roadways or recreation areas, and b) show how such vistas would be impacted by the proposed development.
- SP 4. Development on this site shall be subject to Subchapter E: Design Standards and Mixed Use regulations.

TRANSPORTATION:

- 1. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for RM 2222. [LDC, Sec. 25-6-51 and 25-6-55]. Additional right-of-way will be required at the time of subdivision and/or site plan for RM 2222.
- 2. A traffic impact analysis was prepared for the site development permit SPC-2007-0591C. The applicant agreed to limit the intensity and uses for this development to comply with the approved TIA. If the zoning is granted, development should be limited through a conditional overlay to less than 1,584 vehicle trips per day [LDC, 25-6-117].
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are recommended along the adjoining streets as follows: RM 2222.

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4. .Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
FM 2222	125'	60'	Arterial	No	No	Yes
River Place Blvd	Varies	Varies	Arterial	Yes	No	No
						

ENVIRONMENTAL:

- According to watershed maps, this property lies on or very close to the divide between the Bull Creek Watershed and the Panther Hollow Watershed (Water Supply Suburban and Water Supply Rural Watershed classifications). The site is located in the Edwards Aquifer Recharge Zone and the Drinking Water Protection Zone.
- According to flood plain maps, there is no flood plain in or within close proximity of the project location.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 4) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.
- 7) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

Following are the comments for each watershed classification:

Water Supply Suburban

1) Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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Development Classification	% of Net Site Area	% NSA with Transfers
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Water Supply Rural

1) Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% NSA with Transfers	Allowable Density
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

2) Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres.

COMPRHENSIVE PLAN

This zoning case is located on the south side of FM 2222 Road, just west of River Place Boulevard. The property is vacant, approximately 3.5 acres in size, and is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes a pottery store and septic system installer to the north, a large office complex to the south, an auto repair shop to the west, and vacant land to the east. The proposed use is commercial.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this property as being adjacent (less than 1,000 ft.) to one of the five 'Activity Centers for Redevelopment (located) in an Environmentally Sensitive Area' as identified on the Imagine Austin Growth Concept Map, found in the Image Austin Comprehensive Plan. This property is also situated within the boundaries of the Edwards Aquifer Recharge Zone. Page 106 of the Imagine Austin Comprehensive Plan states, "Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, "Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer."

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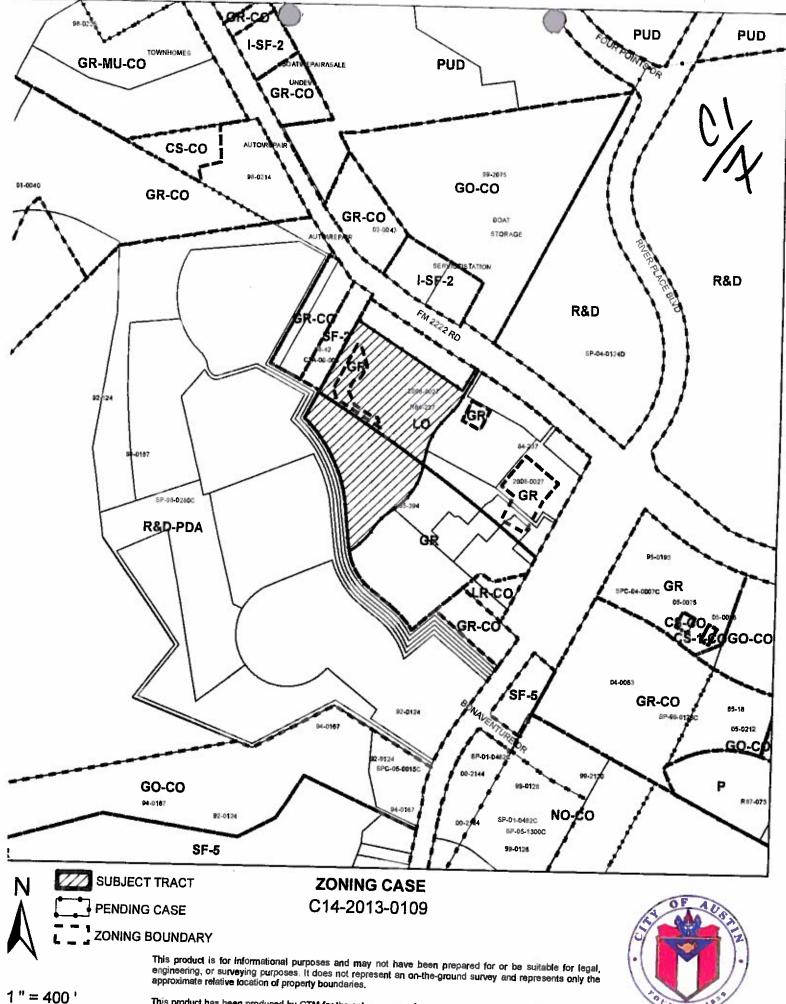
comparatively small scale of the site relative to the rest of the commercial development in the area falls below the scope of Imagine Austin, consequently, the plan is neutral on the proposed rezoning. However, due to the site's location in an environmentally sensitive area, there will be at the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required. Although the site is not within a center, it is proximate to one, and this current review practice is in keeping with the discussion in Imagine Austin relative to state of the practice measures be employed in centers in sensitive areas. When looking at basic planning principles, the proposed use is similar to the adjacent commercial and office uses and helps to further the consistency among the uses within the block.

CITY COUNCIL DATE: November 21st, 2013 ACTION:

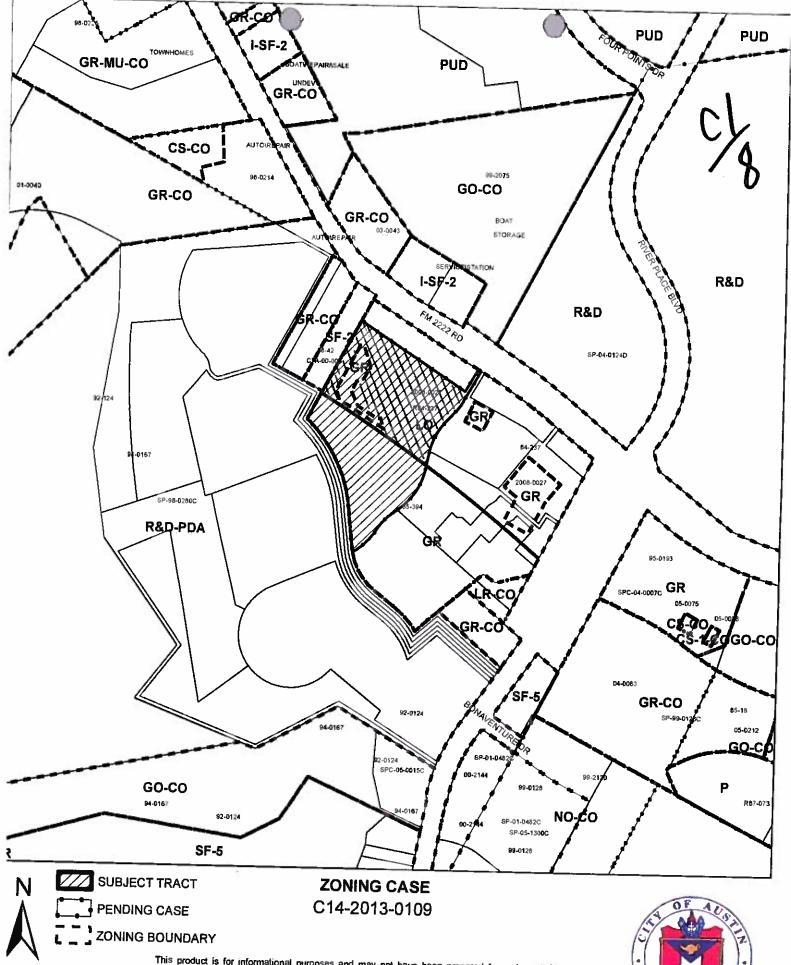
ORDINANCE READINGS: 1ST 2ND 3RD ORDINANCE NUMBER:

Clark Patterson PHONE: 974-7691

Clark.patterson@ci.austin.tx.us



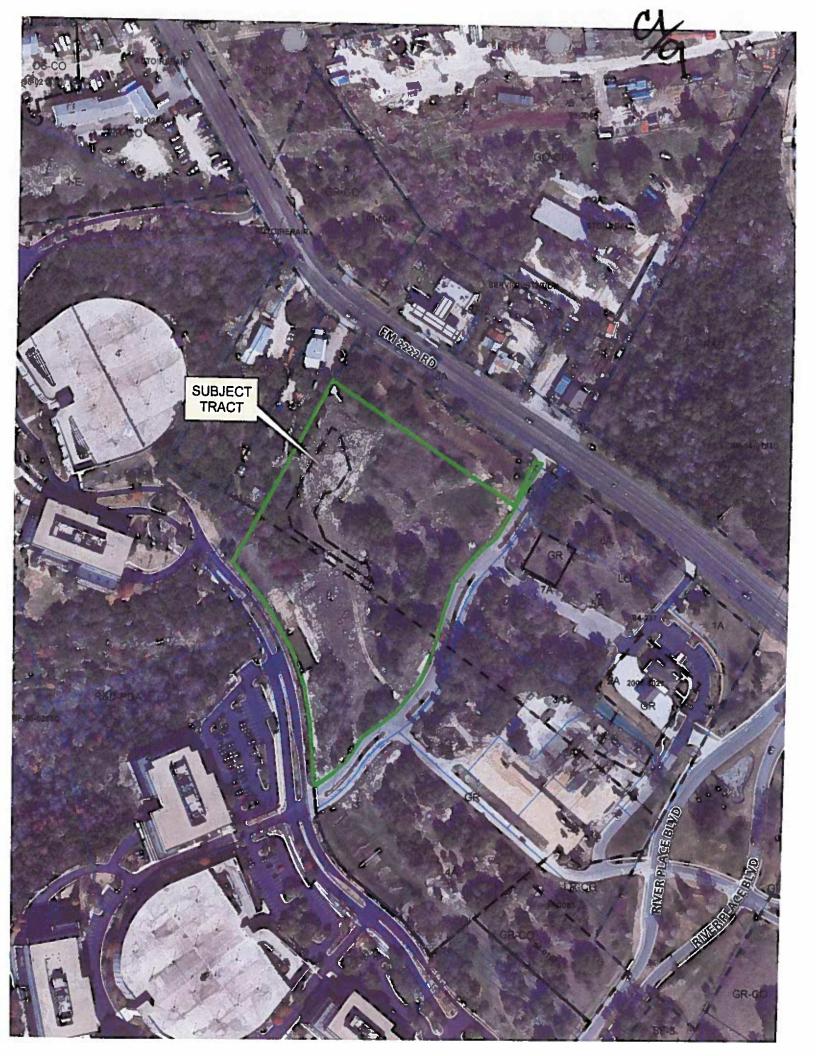
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin reparding specific acquired or completeness.

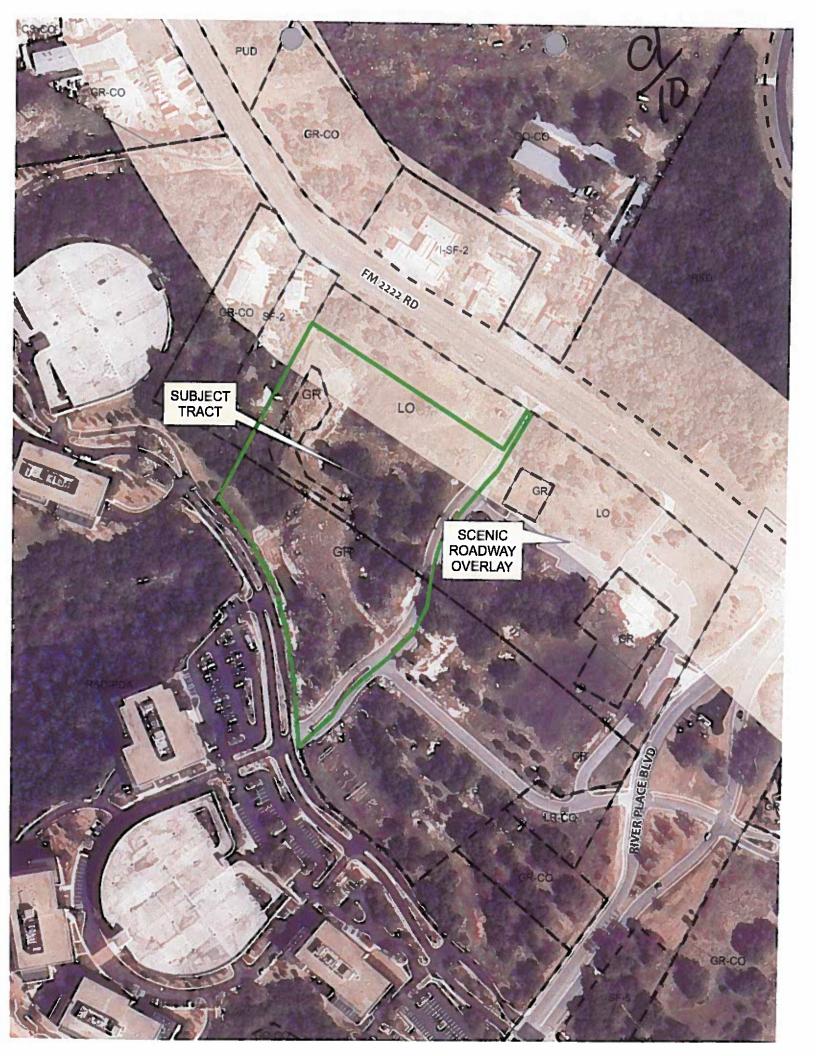


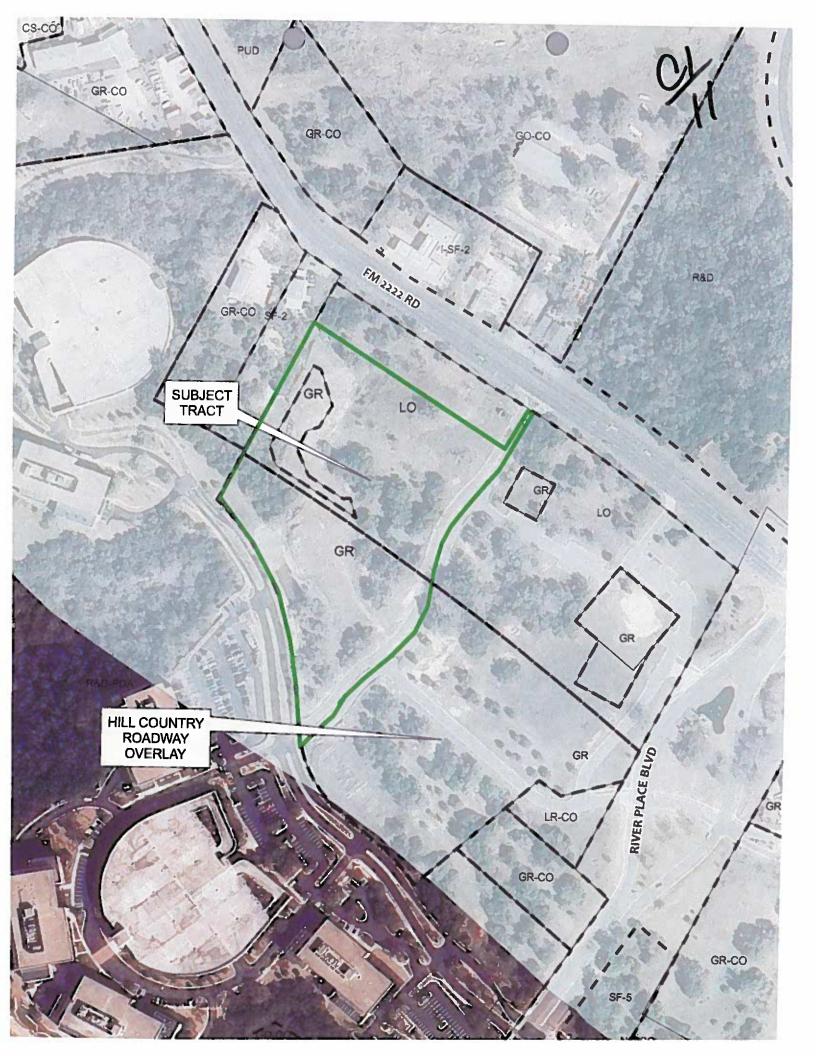
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

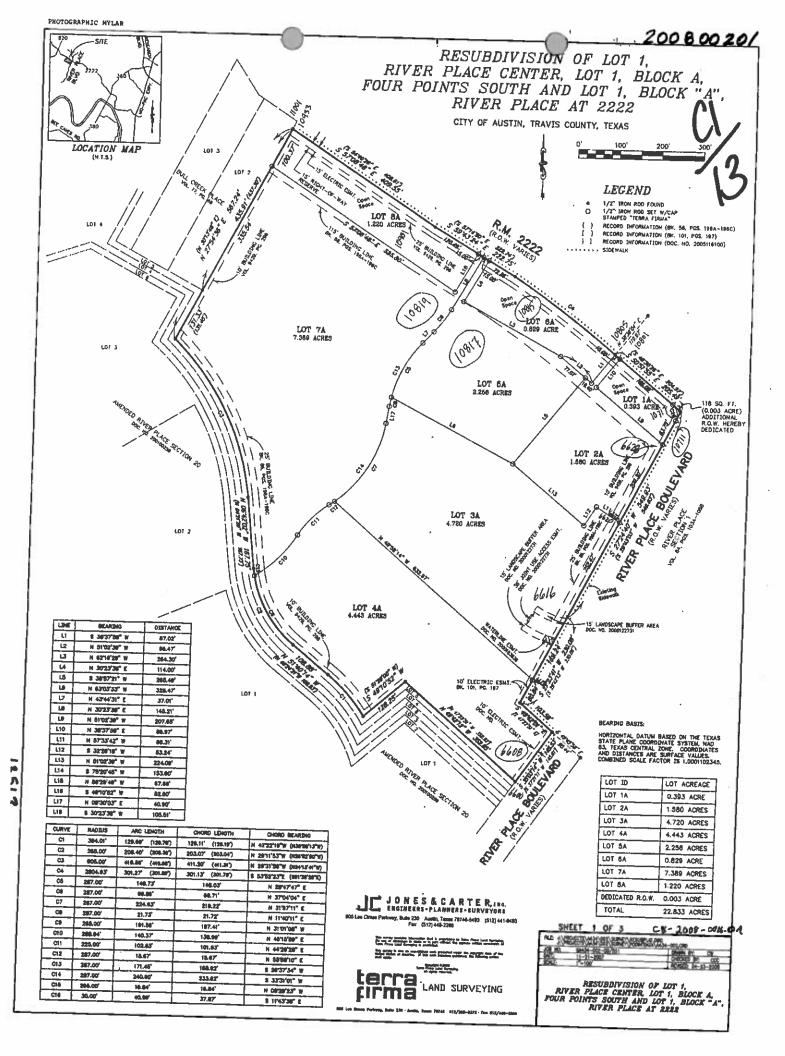
1"=400'











RECEIVED

ORDINANCE NO. 85 1219-DD

MAY 1 3 1987

LAND DEV. SERV.

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1. 11.80 ACRES OF LAND, MORE OR LESS, SAVE AND EXCEPT THE FOLLOWING THREE TRACTS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288 FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "GR" COMMUNITY COMMERCIAL;

TRACT 2. 0.15 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288, FROM INTERIM "SF-2; SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "LO" LIMITED OFFICE; AND,

TRACT 3. 0.64 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288, FROM INTERIM "SF-2: SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "LO" LIMITED OFFICE; AND,

TRACT 4. 0.45 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288, FROM INTERIM "SF-2: SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "LO" LIMITED OFFICE, LOCALLY KNOWN AS 10909 F.M. 2222; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. CHAPTER 13-ZA of the Austin City Code of 1981 is Lereby amended to change the base zoning district on the property described in File Cl4r-84-237, to-wit:

> TRACT 1. Interim "SF-2" Single Residence (Standard Lot) to "GR" Community Conmercial.

> A 11.80 acre tract of land in the William Bell Survey No. 802 and the Banyon Payne Survey No. 288; said 11.80 acre tract being all of that portion of proposed Lot 1, River Place Center lying within the City of Austin Limited Annexation Area, save and except those areas described herein as Tracts 2, 3 and 4, said 10.56 acre tract being more particularly described by metes and bounds as follows:

BEGINNING, at the northernmost corner of that certain River Place Section 1, a subdivision recorded in Book 84, Page 103A-105B of the Travis County Plat Records, being on the south right-of-way line of R.M. 2222:

THENCE, departing said right-of-way line, and along a southwesterly line of said River Place Section 1, S 29° 43' 03" W, a distance of 459.67 to a point;

THENCE, over and across the said proposed Lot 1, River Place Center, parallel to and at a perpendicular distance of 500 feet southwest of the centerline of R.M. 2222 for the following three (3)

 N 48° 30' 26" W, a distance of 296.69 to a point of curvature;

 254.53 feet along the arc of a curve to the left, having a central angle of 06° 10' 00", a radius of 2364.93 feet, bearing N 51° 35' 26" W for a distance of 254.41 feet to a point of tangency, and

3. N 54° 40' 26" W, a distance of 593.78 to a point on the southeast line of that certain Lot 2, Bull Creek Place, a subdivision recorded in Book 77, Page 68 of the Travis County Plat Records;

8" E a distance of 451.79 feet to the northeast corner of the said Lot 2, N 30° 13' on the south right-of-way line of R.M. 2222, for the northwest corner of the said proposed Lot 1, River Place Center;

THENCE, along the southerly right-of-way line of R.M. 2222, and the northerly line of the said proposed Lot 1, River Place Center the following three (3) courses:

S 54° 40° 26" E, a distance of 633.91;

 302.97 feet along the arc of a curve to the right, having a central angle of 06° 10' 00", a radius of 2814.93, bearing S 51° 35' 26" E, and a distance of 302.82 feet;

3. S 48° 30' 26" E, a distance of 202.88 feet to the POINT OF REGINNING, containing 11.80 acres of land, more or less; SAVE AND EXCEPT,

TRACT 2. From Interim "SF-2" Single Family Residence (Standard Lot) to "LO" Limited Office.

COMMENCING, for reference, at a point of curvature on the right-of-way line of R.M. 2222, same being on a northeasterly line of Lot 1 of said River Place Center;

THENCE, leaving said right-of-way line, S 45° 29' 26" W, a distance of 143.68 feet to the Point of Beginning;

THENCE, continuing over and across said Lot 1 for the following four (4) calls:

- 1. S 60° 40' 26" E, a distance of 80.00 feet;
- 2. S 29° 19' 34" W, a distance of 80.00 feet;
- 3. N 60° 40° 26° W, a distance of 80.00 feet;
- 4. N 29° 19' 34" E, a distance of 80.00 feet to the POINT OF BEGINNING, containing 0.15 acres of land, more or less; and,

TRACT 3. From Interim "SF-2" Single Family Residence (Standard Lot) to "IO" Limited

COMMENCING, for reference, at a southeasterly corner of said Lot 1 on the said right-of-way line of R.M. 2222, same being the northernmost corner of said River Place Section 1;

THENCE, with a southeasterly line of said Lot 1, and also with a northwesterly line of said River Place Section 1, S 29° 43' 03" W, a distance of 155 feet;

THENCE, N 60° 16' 57" W, a distance of 130 feet to the POINT OF BEGINNING:

THENCE, continuing over and across said Lot 1 for the following five (5) calls:

- S 15° 16' 57" E, a distance of 56.57 feet;
- S 29° 43' 03" W, a distance of 210.44 feet,
- N 60° 16' 57" W, a distance of 115.00 feet;
- N 29° 43' 03" E, a distance of 250.44 feet,
- S 60° 16' 57" E, a distance of 75.00 feet to the POINT OF BEGINNING, containing 0.64 acres of land, more or less;

TRACT 4. From Interim "SF-2" Single Family Residence (Standard Lot) to "IO" Limited Office.

COMMENCING, for reference, at the northernmost corner of the said Lot 1, River Place Center, same being the northeast corner of the said Lot 2, Bull Creek Place, on the south right-of-way line of R.M.

THENCE, with a northwesterly line of the said Lot 1, and with a southeasterly line of said Bull Creek Place, S 30° 13' 38" W, a distance of 215 feet to a point;

THENCE, leaving said northwesterly line, S 59° 46' 12" E, a distance of 31.00 feet to the POINT OF REGINNING:

THENCE, continuing over and across said Lot 1 for the following twelve (12) calls;

- S 59° 46' 12" E, a distance of 25.00 feet;
- S 14° 46' 12" E, a distance of 80.00 feet;
- S 30° 13' 48" W, a distance of 65.00 feet;
- S 75° 13' 48" W, a distance of 30.00 feet; S 30° 13' 48" W, a distance of 50.00 feet; 5.
- S 19° 46' 12" E, a distance of 70.00 feet;
- S 59° 46' 12" E, a distance of 100.00 feet; 7.
- N 70° 13' 48" E, a distance of 15.00 feet; 8. 9.
- S 19° 46' 12" E, a distance of 57.80 feet; N 54° 40' 26" W, a distance of 236.10 feet;

11. N 19° 46' 12" W, a distance of 42.74 feet;
12. N 30° 13' 48" E, a distance of 215.00 feet to the POINT
OF BEGINNING, containing 0.45 acres of land, more or less,

locally known as 10909 F.M. 2222 in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

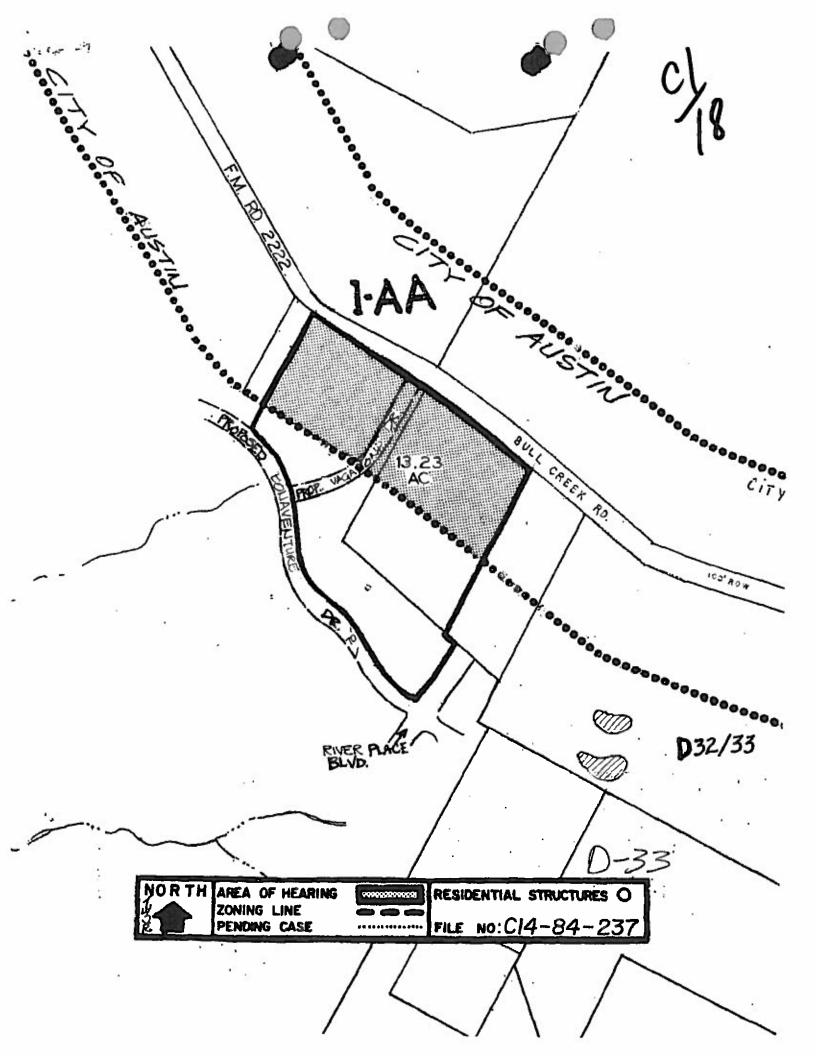
PART 3. That the development of the property herein described shall be accomplished in accordance with the site plan attached hereto as Exhibit "A", or as such site plan is subsequently adjusted or modified as provided by subsection 13-2A-6196 of the Austin City Code of 1981. Except to the extent that such site plan is inconsistent therewith, the development and use of the property described herein shall be in accordance with applicable ordinances of the City of Austin.

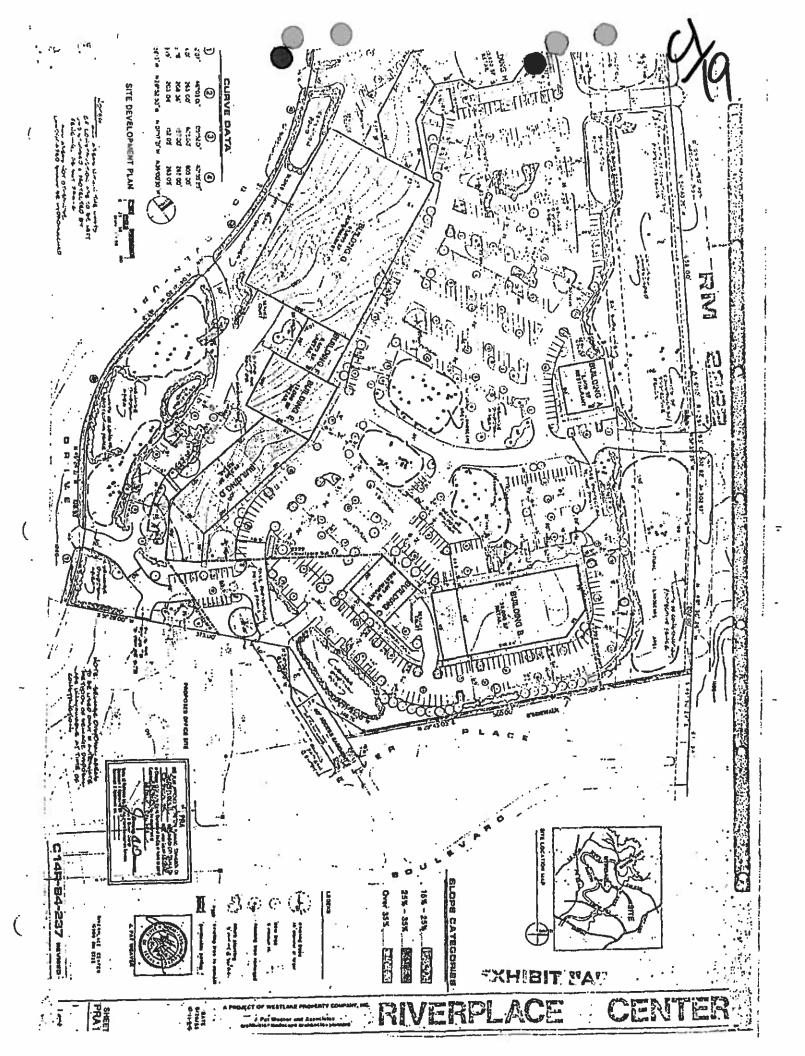
PART 4. This application for rezoning was filed prior to the effective date of Chapter 13-2A of the Austin City Code of 1981, at which time the property was zoned Interim "AA" Residence, First Height and Area District, and the applicant sought rezoning to "GR" General Retail, First Height and Area District. Notwithstanding the rezoning herein to "GR" Community Commercial for Tract 1 and "IO" Limited Office for Tracts 2 - 5, the property owner shall be permitted to obtain a building permit subject to the provisions of Chapter 13-2 and as permitted under a zoning classification thereunder of "GR" General Retail, First Height and Area District for Tract 1 and "O-1" Office for Tracts 2 - 5, in accordance with the provisions of Section 1051 of Chapter 13-2A of the Austin City Code of 1981.

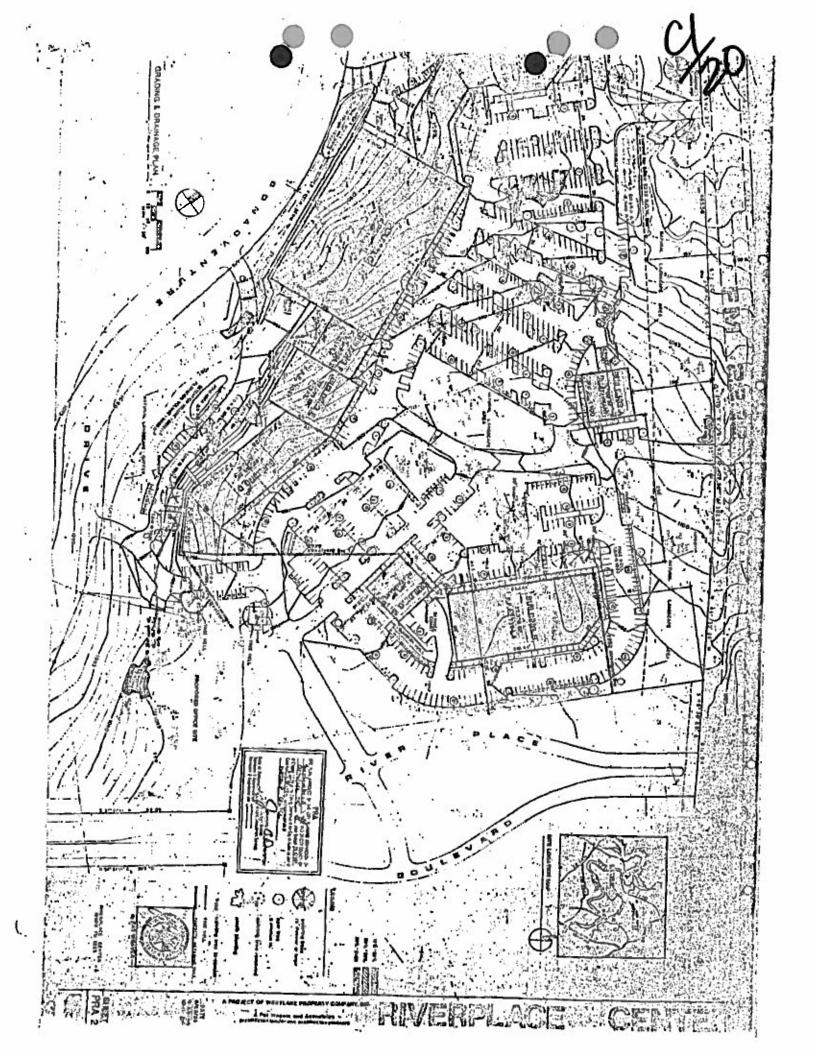
PART 5. WHEREAS, an emergency is apparent for the immediate preservation of order, health, safety and general welfare of the public, which emergency requires the suspension of the rule providing for the reading of an ordinance on three separate days, and requires that this ordinance become effective immediately upon its passage; therefore, the rule requiring the reading on three separate days is hereby suspended and this ordinance shall become effective immediately upon its passage as provided by the Charter of the City of Austin.

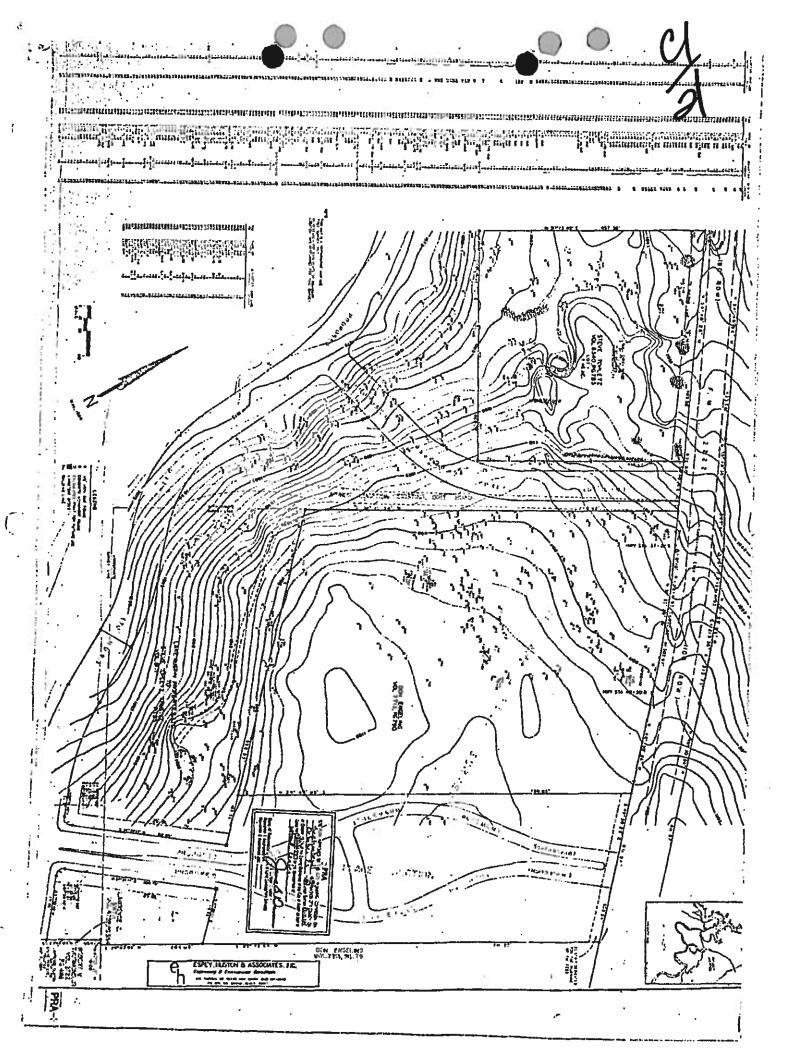
PASSED AND APPROVED	
December 9 , 1985 S	
	Frank C. Cooksey // Mayor
APPROVED: Paul C. Isham	ATTEST: James C. Aldridge
City Attorney SJS:saf	James E. Aldridge City Clerk

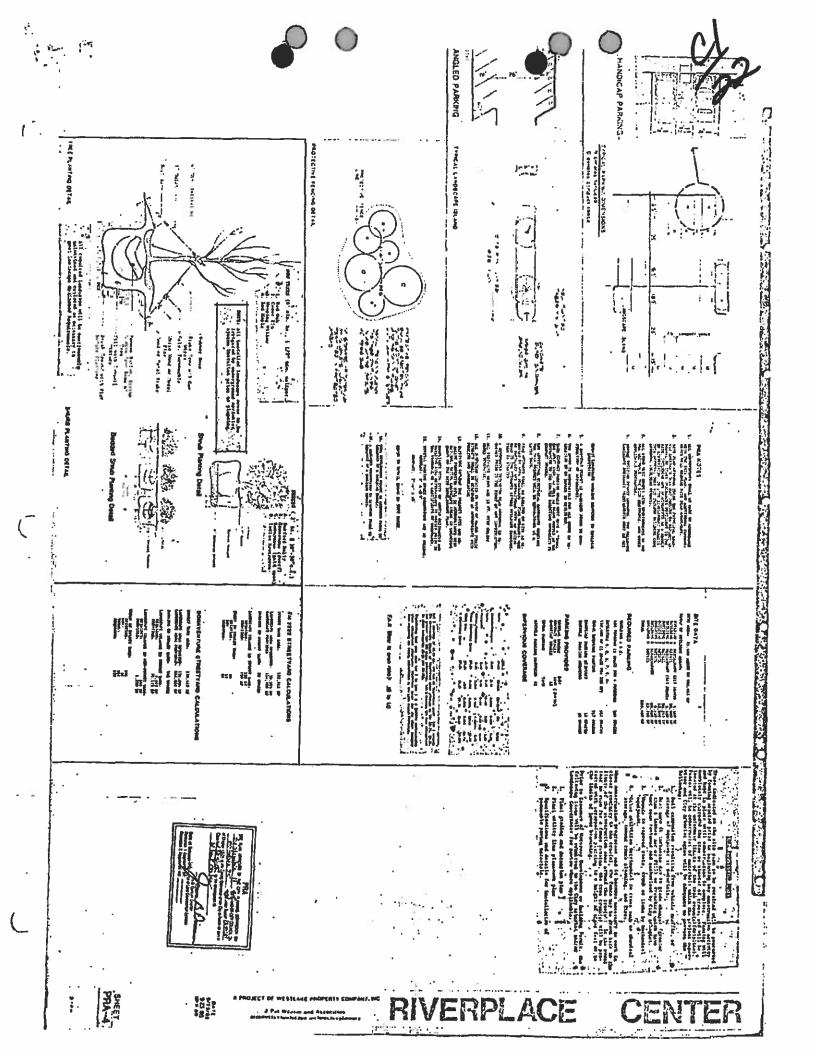
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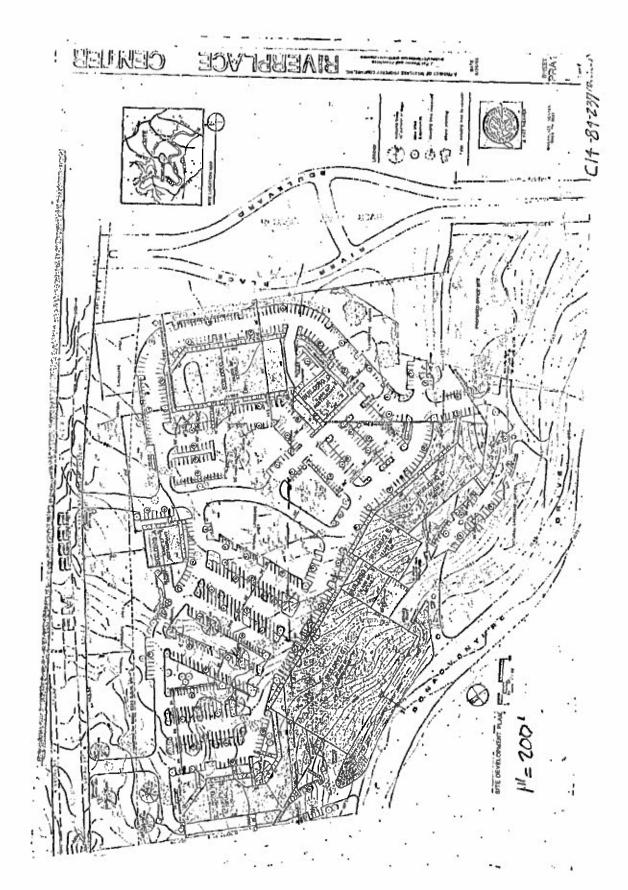












MAY 12 1986

ORDINANCE NO. 86 0410-I

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

9.70 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288, LOCALLY KNOWN AS 10900 R.M. 2222, FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "GR" COMMUNITY COMMERCIAL; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. CHAPTER 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district from Interim "SF-2" Single Family Residence (Standard Lot) to "GR" Community Commercial on the property described in File Cl4r-85-394, to-wit:

A 9.70 acre tract of land in the William Bell Survey No. 802 and the Banyon Payne Survey No. 288, being all of that portion of proposed River Place Center Lot 1, lying outside of the City of Austin Limited annexation area, said 9.70 acre tract being more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein for all purposes,

locally known as 10900 R.M. 2222 in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. That the development of the property herein described shall be accomplished in accordance with the site plan attached hereto as Exhibit "B", or as such site plan is subsequently adjusted or modified as provided by subsection 13-2A-6196 of the Austin City Code of 1981. Except to the extent that such site plan is inconsistent therewith, the development and use of the property described herein shall be in accordance with applicable ordinances of the City of Austin.

PART 4. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED S
S
April 10 , 1986 S

Frank C. Cooksey
Mayor

APPROVED:

Paul C. Isham City Attorney James E. Aldridge City Clerk

SJS:saf

Exhibit "A" FN 3160 (CJD) (Revised) EH&A Job No. 6383-12

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River Place Center

January 6, 1986

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FIELD NOTES

FIELD NOTE DESCRIPTION FROM RECORD INFORMATION FOR ZONING PURPOSES OF A 9.70 ACRE TRACT OF LAND IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288, BEING ALL OF THAT PORTION OF PROPOSED RIVER PLACE CENTER, LOT 1, LYING OUTSIDE OF THE CITY OF AUSTIN LIMITED ANNEXATION AFA, SAID 9.70 ACRE TRACT BEING REPRESENTED ON THE ACCOMPANYING SKETCH AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference at the easternmost corner of the said proposed River Place Center, also being the northernmost corner of that certain River Place Section 1, a subdivision recorded in Book 84, Pages 103A-105B of the Travis County Plat Records, said commencing point also being on the south right-of-way line of F.M. 2222;

THENCE, departing said right-of-way line, and with a southeast line of the said proposed River Place Center, also being a northwest line of the said River Place Section 1, S 29° 43' 03" W, a distance of 459.67 feet to the POINT OF BEGINNING;

THENCE, with the said northwest line of River Place Section 1, 5 29° 43'03" W, a distance of 100.38 feet to a southeast corner of Lot 1 of the said proposed River Place Center, same being the northernmost corner of Lot 2 of same;

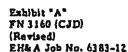
THENCE, with the north boundary of the said Lot 2, same being the southernmost boundary of the said Lot 1 the following three (3) calls:

- 1. S77° 44' 00" W, a distance of 146.76 feet;
 - 2. N 54° 06' 00" W. a distance of 63.03 feet; and
 - S 51° 28' 00° W, a distance of 373,00 feet to the western most corner of the said Lot 2;

THENCE, with the southwest boundary of Lot 1 of the said proposed River Place Center the following five (5) calls:

- 129.78 feet with the arc of a curve to the left having a central angle of 18° 52' 17", a radius of 394.01 feet, a tangent length of 65.48 feet and a chord bearing N 39° 58' 13" W for a distance of 129.19 feet to a point of tangency.
- N 49° 24' 21" W, a distance of 108.93 feet to a point of curvature;
- 3. 208.36 feet with the arc of a curve to the right, having a central angle of 45° 03' 01", a radius of 265.00 feet, a tangent length of 109.90 feet, and a chord bearing N 26° 52' 50" W for a distance of 203.04 feet to a point of tangency,
- NO4° 21'20° W, a distance of 167.73 feet to a point of curvature.
- 5. 419.68 feet with the arc of a curve to the left having a central angle of 39° 44' 43°, a radius of 605.00 feet; a tangent length of 218.68 feet, and a chord bearing N 24° 13' 41° W for a distance of 411.31 feet to a point of tangency;





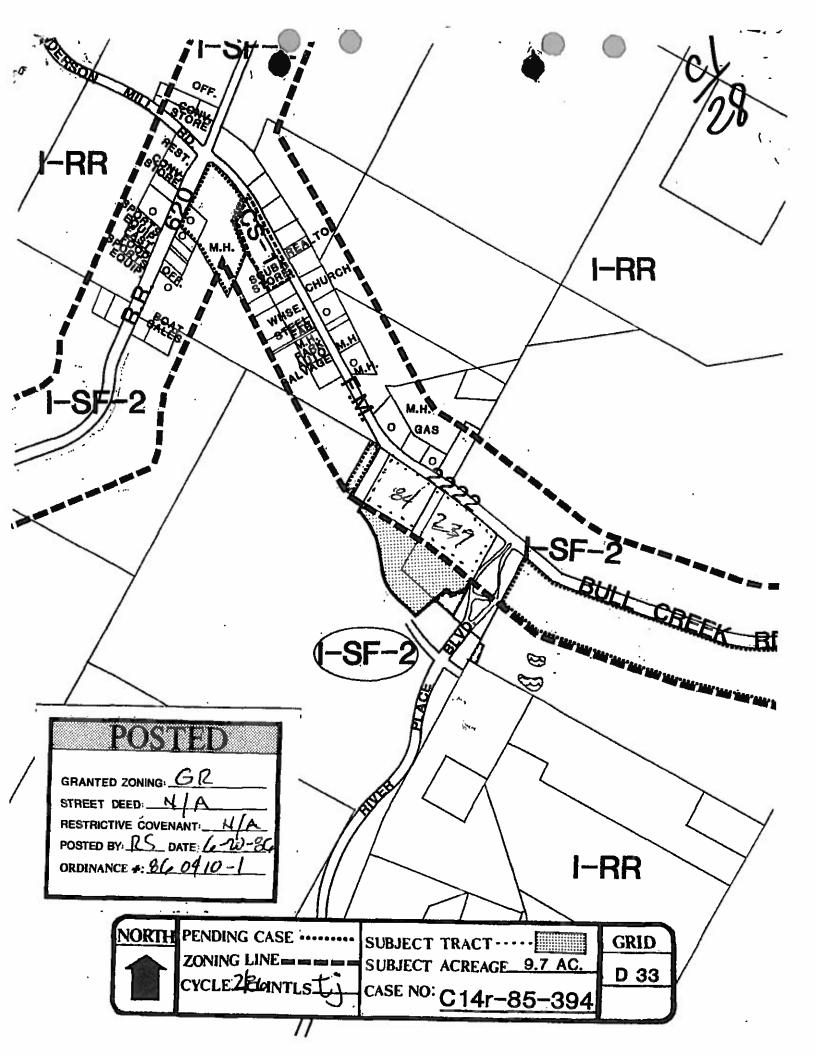


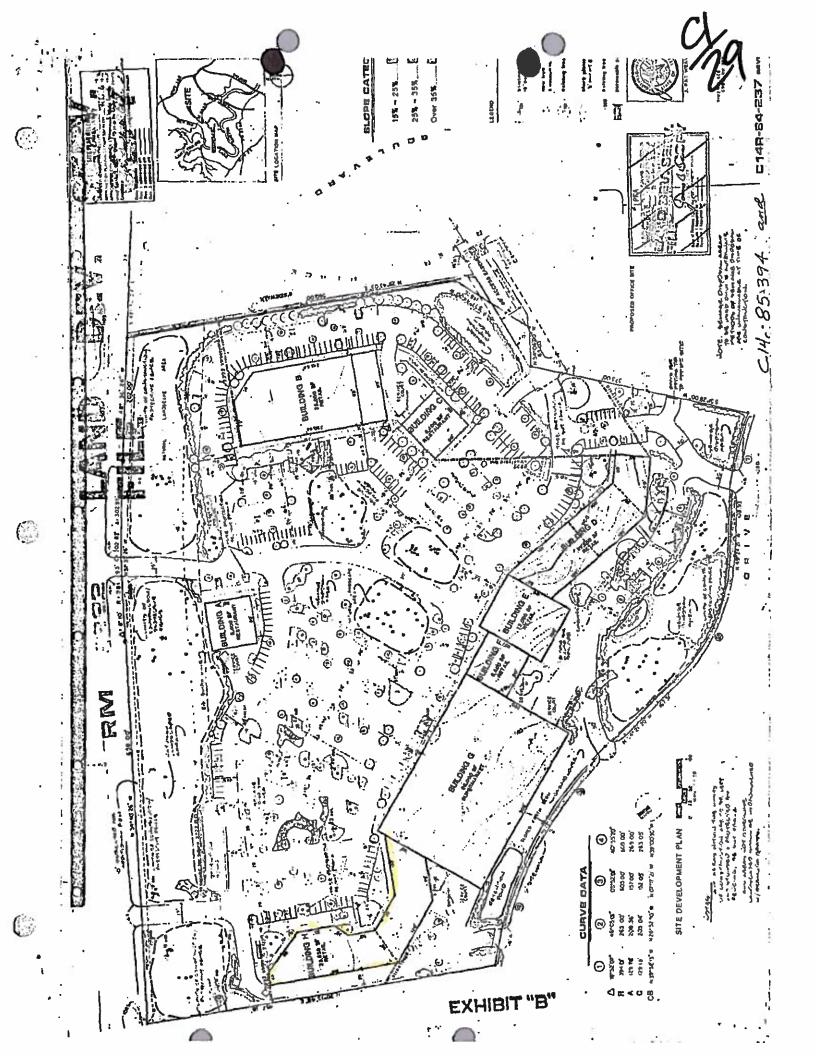


THENCE, with the northwest boundary of the said proposed River Place Center, N 30° 13' 48" E, passing at 131.45 feet an easterly corner of that certain tract described in a deed to S. Topletz, Trustee, and recorded in Volume 8171, Page 25 of the Deed Records of Travis County, said corner also being the southernmost corner of Lot 2 of that certain Bull Creek Place, a subdivision recorded in Book 77, Page 68 of the Plat Records of Travis County, in all, 137.04 feet to the northwest corner of the tract herein described,

THENCE, over and across the said Lot 1 of the proposed River Place Center parallel to and at a perpendicular distance of 500 feet southwest of the centerline of F.M. 2222 the following three (3) calls:

- S 54° 40' 26° E, a distance of 593.78 feet to a point of curvature,
- 2. 254.53 feet with the arc of a curve to the right having a central angle of 06° 10'00", a radius of 2364.93 feet, a tangent length of 127.39 feet, and a chord bearing S 51° 35' 26" E for a distance of 254.41 feet to a point of tangency,
- 548⁰ 30° 26° E, a distance of 296,69 feet to the POINT OF BEGINNING, containing 9.70 acres of land, more or less.





KELLIVED

ORDINANCE NO. 88 0728-E

J/11 1 0 1989

LY NO DEV. SERV.

AN ORDINANCE AMENDING ORDINANCE NO. 851219-DD, ENACTED BY THE CITY COUNCIL DECEMBER 19, 1985, BY CORRECTING THE USE DESIGNATION OF CERTAIN PROPERTY LOCATED AT 10909 F.M. 2222 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS (ZONING CASE NO. C14r-84-237); WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 851219-DD, Zoning Case C14r-84-237, enacted by the City Council on December 19, 1985, is hereby corrected by deleting, in its entirety, the caption in said ordinance and substituting the following section to read as follows:

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 11.80 ACRES OF LAND, MORE OR LESS, SAVE AND EXCEPT THE FOLLOWING THREE TRACTS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288 FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "LO" LIMITED OFFICE;

TRACT 2: 0.15 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288 FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "GR" COMMUNITY COMMERCIAL;

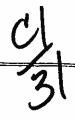
TRACT 3: 0.64 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288 FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "GR" COMMUNITY COMMERCIAL;

TRACT 4: 0.45 ACRES OF LAND, MORE OR LESS, IN THE WILLIAM BELL SURVEY NO. 802 AND THE BANYON PAYNE SURVEY NO. 288 FROM INTERIM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) TO "GR" COMMUNITY COMMERCIAL;

LOCALLY KNOWN AS 10909 F.M. 2222; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

PART 2. Part 1 of Ordinance No. 851219-DD, Zoning Case C14r-84-237, enacted by the City Council on December 19, 1985, is corrected by deleting the following sections:

TRACT 1. From Interim "SF-2" Single Family Residence (Standard Lot) to "GR" Community Commercial.



- TRACT 2. From Interim "SF-2" Single Family Residence (Standard Lot) to "LO" Limited Office.
- TRACT 3. From Interim "SF-2" Single Family Residence (Standard Lot) to "LO" Limited Office.
- TRACT 4. From Interim "SF-2" Single Family Residence (Standard Lot) to "LO" Limited Office.

and substituting the following sections to read as follows:

- TRACT 1. From Interim "SF-2" Single Family Residence . (Standard Lot) to "LO" Limited Office.
- TRACT 2. From Interim "SF-2" Single Family Residence (Standard Lot) to "GR" Community Commercial.
- TRACT 3. From Interim "SF-2" Single Family Residence (Standard Lot) to "GR" Community Commercial.
- TRACT 4. From Interim "SF-2" Single Family Residence (Standard Lot) to "GR" Community Commercial.
- <u>PART 3.</u> Ordinance No. 851219-DD, Zoning Case C14r-84-237, enacted by the City Council on December 19, 1985, is hereby corrected by deleting PART 4 in its entirety in said ordinance and substituting the following section to read as follows:
 - PART 4. This application for rezoning was filed prior to the effective date of Chapter 13-2A of the Austin City Code of 1981, at which time the property was zoned Interim "AA", First Height and Area District, and the applicant sought rezoning to "GR" General Retail, First Height and Area District. Notwithstanding the rezoning herein to "LO" Limited Office for Tract 1 and "GR" Community Commercial for Tracts 2-4, the property owner shall be permitted to obtain a building permit subject to the provisions of Chapter 13-2 and as permitted under a zoning classification thereunder of "O-1" First Height and Area District for Tract 1 and "GR" General Retail for Tract 2-4 in accordance with the provisions of Section 1051 of Chapter 13-2A of the Austin City Code of 1981.
- <u>PART 4.</u> It is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the amendment enacted in this ordinance.
- PART 5. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate

five members of

days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

<u>PART 6</u>. This ordinance shall be effective ten days following the date of its final passage.

PASSED AND APPROVED

§ §

July 28

1988

Lee Cooke Mayor

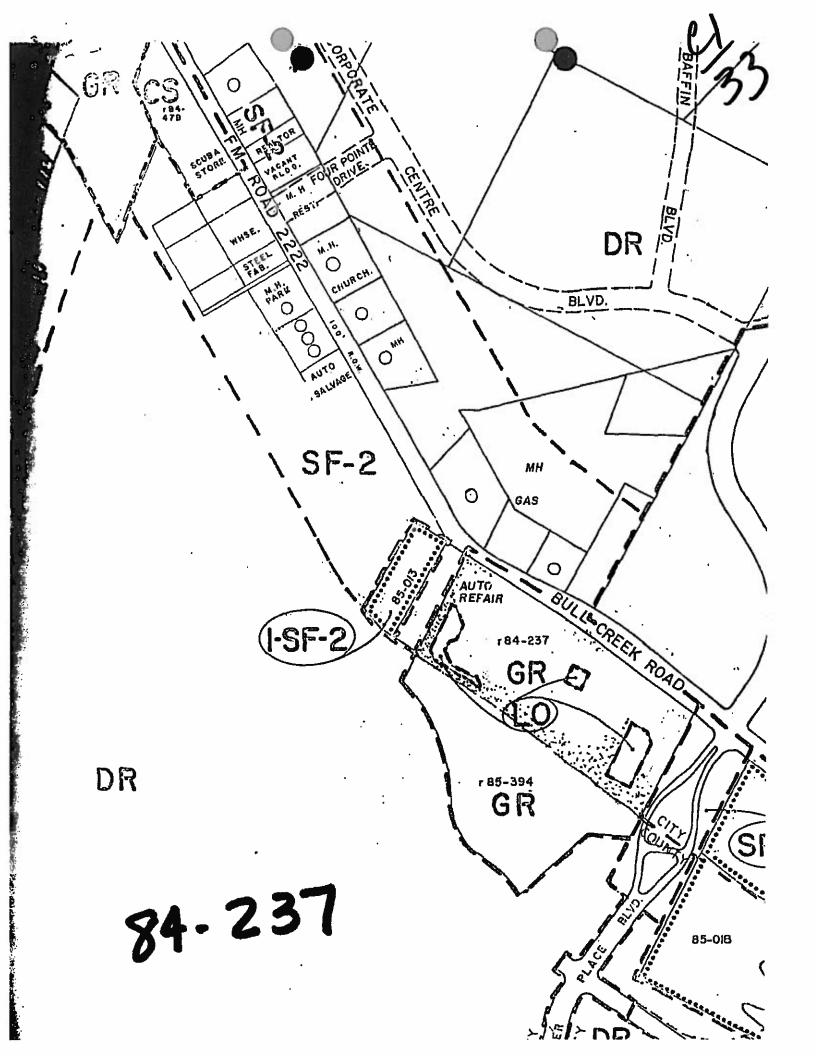
APPROVED:

Jonathan Davis Acting City Attorney ATTEST:

James E. Aldridge

City Clerk

84-237. corrective ord. AFM/jj



ORDINANCE NO. 20080320-065

234

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10815 FM 2222 ROAD FROM LIMITED OFFICE (LO) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMUNITY COMMERCIAL (GR) DISTRICT FOR TRACT ONE AND LIMITED OFFICE (LO) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-2008-0027, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From limited office (LO) district and community commercial (GR) district to community commercial (GR) district.

A 28,000 sq. ft. tract of land, more or less, out of Lot 1, River Place Center Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Two: From limited office (LO) district and community commercial (GR) district to limited office (LO) district and community commercial (GR) district.

Lot 1, River Place Center Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 86, Pages 196A-196C, of the Plat Records of Travis County, Texas; Save and Except the property described as Tract One in this ordinance,

locally known as 10815 FM 2222 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on March 31, 2008.

0/35

PASSED AND APPROVED

 § Willy	
Will Wyhn	
Mayor	

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry City Clerk

EKHIBIT A

TRACT ONG FIELD NOTES PROPOSED ZONING BOUNDARY

C/3le

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE WILLIAM BELL SURVEY NO. 802, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, RIVER PLACE CENTER, A SUBDIVISION AS RECORDED IN BOOK 86, PAGES 196A-196C OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 1 BEING CONVEYED TO RIVER PLACE POINTE, L.P., A TEXAS LIMITED PARTNERSHIP BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2005116100 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for POINT OF REFERENCE at a ½" iron rod found at the intersection of the southwest right-of-way line of R.M. Highway No. 2222 and the northwest right-of-way line of River Place Boulevard, said iron rod found also being the most easterly corner of the above described Lot 1, from which a ½" iron rod found on said southwest right-of-way line of R.M. Highway No. 2222 bears N50°51'55"W a distance of 205.49 feet, Thence, S51°09'36"W a distance of 173.81 feet to a point for the most easterly corner and POINT OF BEGINNING of the herein described tract;

THENCE S39°08'05"W a distance of 160.00 feet to a point for the most southerly corner of this tract,

THENCE N50°51'55"W a distance of 175.00 feet to a point for the most westerly corner of this tract;

THENCE N39°08'05"E a distance of 160.00 feet to a point for the most northerly corner of this tract;

cl₃X

1/11/2008 Date

THENCE S50°51'55"E a distance of 175.00 feet to the POINT OF BEGINNING, and containing 28,000 square feet of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma Land Surveying from a survey made on the ground on November 7, 2007 under my supervision and are true and correct to the best of my knowledge. A sketch accompanies this description.

Jonathan O. Nobles

Registered Professional Land Surveyor No. 5

Client:

Aspen Properties

Date:

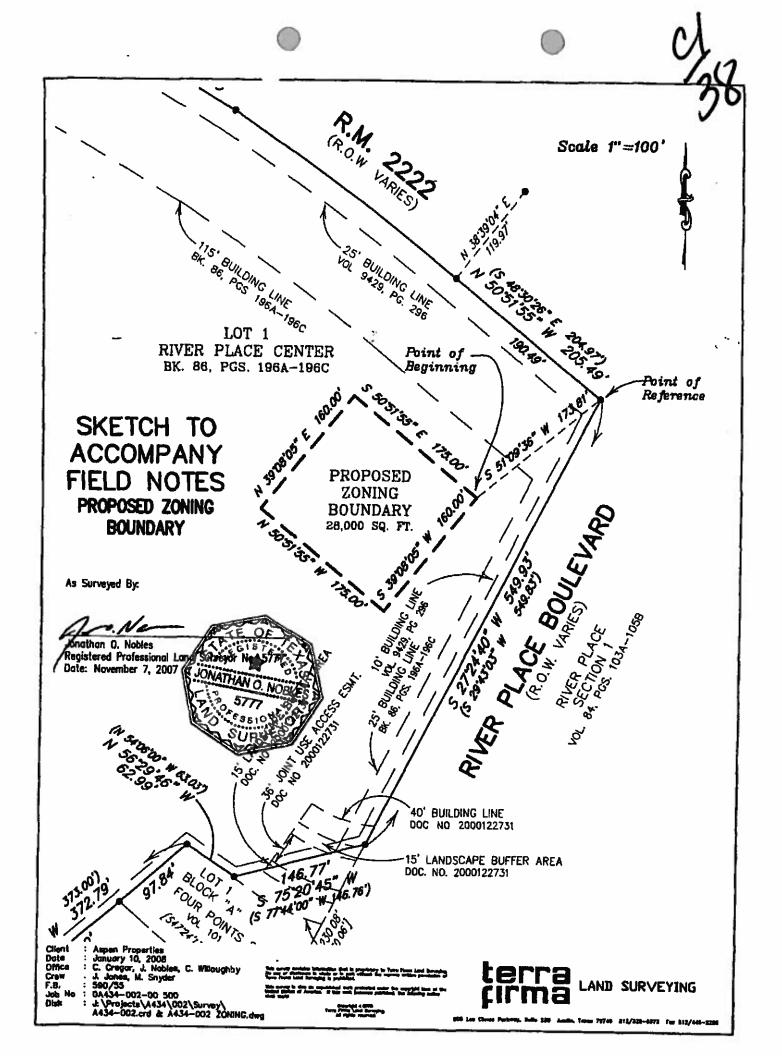
January 11, 2008 0A434-002-00/503

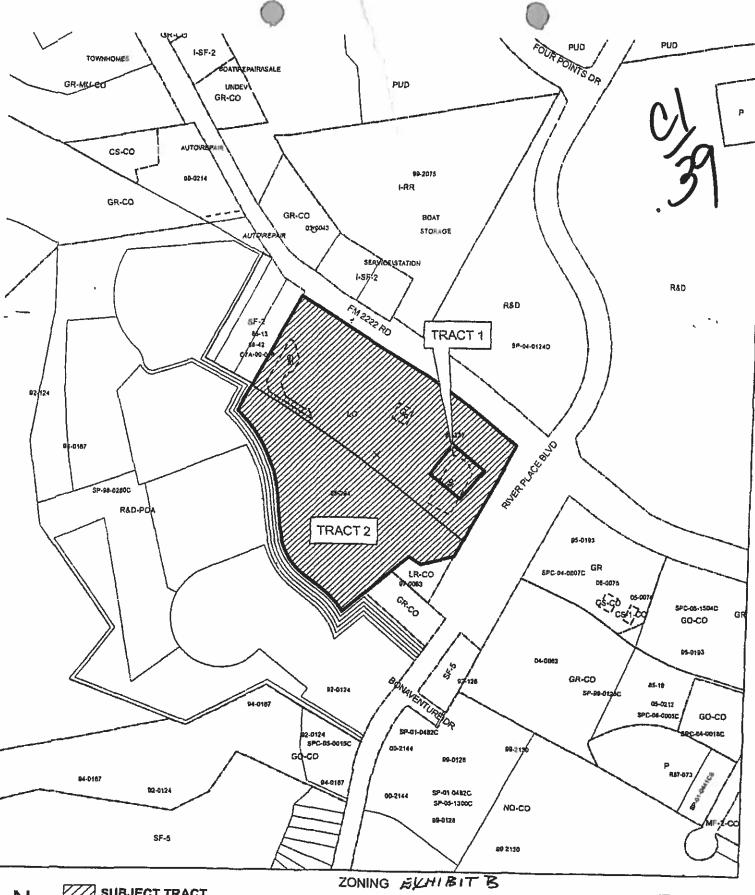
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File:

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ZONING BOUNDARY PENDING CASE

ZONING CASE# C14-2008-0027 ADDRESS: 10815 FM 2222 RD . SUBJECT AREA: 21.08 ACRES

GRID: D33

MANAGER. J. ROUSSELIN

